

Honolulu, Hawaii

FEB 28 , 2020

RE: H.B. No. 1661
H.D. 3

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1661, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to amend the criteria for emergency examination and emergency hospitalization and release from emergency examination and emergency hospitalization for individuals experiencing a mental illness or substance use disorder crisis.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the Department of the Attorney General, Hawaii Disability Rights Center, and Hawaii Psychological Association.

Your Committee finds that the Department of Health and a wide range of stakeholder partners, including the Legislature, have been actively evaluating and restructuring the mental health crisis response system through the task force and working group established by Acts 90 and 263, Session Laws of Hawaii 2019. Your Committee further finds that this measure supports the efforts of the mental health task force and working group to further define and guide the process that occurs when an individual has been



transported to an emergency room or behavioral health crisis center under an MH-1 order for evaluation and the disposition of the individual once the evaluation has been completed.

Your Committee has amended this measure by:

- (1) Reinstating language that allows psychologists to perform emergency examinations;
- (2) Clarifying the circumstances for releasing patients from emergency examinations;
- (3) Reinstating the criteria for determining whether a patient must be hospitalized on an emergency basis or transferred to another psychiatric facility for emergency hospitalization, or both; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1661, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1661, H.D. 3.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



CHRIS LEE, Chair



